

RESOLUTION NO. CZAB14-38-05

WHEREAS, **IRWIN POTASH, ET AL.** applied for the following:

- (1) AU, EU-1 & EU-M to PAD
- (2) Applicant is requesting to permit 1-way drives 12' in width (14' required).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Palms of Coral Reef," as prepared by Sotolongo Architects, consisting of 20 sheets, dated, signed and sealed 7/15/05 and landscape plans as prepared by Witkin Design Group, consisting of 8 sheets, dated, signed and sealed 7/14/05. Plans may be modified at public hearing.

SUBJECT PROPERTY: The east $\frac{1}{2}$ of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, Township 55 South, Range 40 East, less the south 35' and less that portion lying east and Northeast of the south Right-of-Way Line of Canal C-100. AND: The west $\frac{1}{2}$ of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$ of Section 21, Township 55 South, Range 40 East, less the south 35', less the west 35', and less that portion for Right-of-Way of Canal C-100. AND: The NE $\frac{1}{4}$, of the SE $\frac{1}{4}$, of the SE $\frac{1}{4}$ lying south of Canal C-100 Right-of-Way Section 20, Township 55 South, Range 40 East. AND: The north 129', of the east $\frac{1}{2}$ of the SE $\frac{1}{4}$, of the SE $\frac{1}{4}$, of the SE $\frac{1}{4}$ of Section 20, Township 55 South, Range 40 East subject to dedication of the east 40' thereof, Official Records Book 16849, Page 4211. AND: The north 214' of Tract "A" of JACADAMA TRACT, Plat book 119, Page 81 AND: In addition that portion of the SW $\frac{1}{4}$, of the NW $\frac{1}{4}$, of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, Township 55 South, Range 40 East; lying south and west of Canal C-100; less the west 35' thereof.

LOCATION: The north side of S.W. 152 Street & lying east and west of theoretical S.W. 97 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to PAD (Item #1), would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and the request to permit 1-way drives 12' in width

(Item #2) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion to deny Items #1 & 2 with prejudice was offered by Curtis Lawrence, seconded by Samuel L. Ballinger, and upon a poll of the members present the vote was as follows:

Samuel Ballinger	aye	Rose L. Evans-Coleman	absent
Wilbur B. Bell	aye	Don Jones	absent
Dawn Lee Blakeslee	aye	Curtis Lawrence	aye

Dr. Pat Wade	aye
--------------	-----

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 14, that the requested district boundary change to PAD (Item #1), be and the same is denied with prejudice.

BE IT FURTHER RESOLVED that the request to permit 1-way drives 12' in width (Item #2) be and the same is hereby denied with prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 17th day of October, 2005.

Hearing No. 05-10-CZ14-1
Is

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 14, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB14-38-05 adopted by said Community Zoning Appeals Board at its meeting held on the 17th day of October 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 1st day of November, 2005.

A handwritten signature in cursive script, reading "Luis Salvat", followed by a horizontal line.

Luis Salvat, Deputy Clerk (2678)
Miami-Dade County Department of Planning and Zoning

SEAL



Department of Planning and Zoning
Stephen P. Clark Center
111 NW 1st Street • Suite 1210
Miami, Florida 33128-1902
T 305-375-2800

miamidade.gov

November 1, 2005

Irwin Potash, et al.
c/o Jeffrey M. Flanagan, Esq.
Carlos Williard & Flanagan
999 Ponce de Leon Boulevard, Suite 1000
Coral Gables, FL 33134

Re: Hearing No. 05-10-CZ14-1 (04-255)
Location: North side of S.W. 152 Street, lying east & west of
theoretical S.W. 97 Avenue, Miami-Dade County, FL.

Dear Mr. Flanagan:

Enclosed herewith is Resolution No. CZAB14-38-05, adopted by Miami-Dade County's Community Zoning Appeals Board 14, which denied, with prejudice, your client's application for a district boundary change and related variance on the above-noted location.

Please note that any aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11th floor of the Stephen P. Clark Building, 111 N.W. 1st Street, Miami, FL 33128. The date of posting is October 28, 2005.

Sincerely,

Lou Salvat
Deputy Clerk

Enclosure

Delivering Excellence Every Day

ADA Coordination
Agenda Coordination
Animal Services
Art in Public Places
Audit and Management Services
Aviation
Building
Building Code Compliance
Business Development
Capital Improvements Construction Coordination
Citizens' Independent Transportation Trust
Commission on Ethics and Public Trust
Communications
Community Action Agency
Community & Economic Development
Community Relations
Consumer Services
Corrections & Rehabilitation
Cultural Affairs
Elections
Emergency Management
Employee Relations
Empowerment Trust
Enterprise Technology Services
Environmental Resources Management
Fair Employment Practices
Finance
Fire Rescue
General Services Administration
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metro-Miami Action Plan
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraiser
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Task Force on Urban Economic Revitalization
Vizcaya Museum And Gardens
Water & Sewer